

Benjamin Frank Ballard
San Quentin State Prison
D-04047 / 2N96-U.
San Quentin, CA. 94974.

FILED

08 JUN 30 PM 2:44

U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BENJAMIN FRANK BALLARD

Petitioner,

VS.

ROBERT AYERS JR.
WARDEN OF SAN QUENTIN

Defendant.

CASE NUMBER: C-08-2550 MMC

MOTION FOR APPOINTMENT
OF COUNSEL

Petitioner is not an Attorney, nor does petitioner have any experience with performing legal work. For example in just trying to file the above mentioned petition for writ of habeas corpus, petitioner filed the old In forma pauperis form instead of the court's current one. See Exhibit-A: were the court clerk informs petitioner that he must file the court's current Informa pauperis application. Petitioner is sending \$5.00 for the writ's filling fee, and enclosing the In Forma Pauperis that the court clerk sent. Still petitioner prays that the Court will appoint counsel to protect his Constitutional Rights and file all proper technical court filling, rules, and fees.

Dated: June 11, 2008



Benjamin Frank Ballard, pro se.

Exhibit
'A'

FILED

JUN 2008

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Dear Sir or Madam:

Your petition has been filed as civil case number 008-2550 MMC

- ✓ A filing fee of \$5.00 is now due. If you are unable to pay the entire filing fee at this time, you must sign and complete this court's Prisoner's In Forma Pauperis Application in its entirety. If the application is granted, you will not have to prepay the fee.

Your petition is deficient because you did not pay the filing fee and:

1. you did not file an In Forma Pauperis Application.
2. ✓ the In Forma Pauperis Application you submitted is insufficient because:
 - ✓ You did not use the correct form. You must submit this court's current Prisoner's In Forma Pauperis Application.
 - Your In Forma Pauperis Application was not completed in its entirety.
 - You did not sign your In Forma Pauperis Application.
 - You did not submit a Certificate of Funds in Prisoner's Account completed and signed by an authorized officer at the prison.
 - You did not attach a copy of your prisoner trust account statement showing transactions for the last six months.
 - ✓ Other No IFP APPLICATION

Enclosed you will find this court's current Prisoner's In Forma Pauperis Application, which includes a Certificate of Funds in Prisoner's Account form, and a return envelope for your convenience.

Warning: YOU MUST RESPOND TO THIS NOTICE. If you do not respond within THIRTY DAYS from the filing date stamped above, your action will be DISMISSED, the file closed and the entire filing fee will become due immediately. Filing a Prisoner's In Forma Pauperis Application will allow the court to determine whether prepayment of the filing fee should be waived.

Sincerely,
RICHARD W. WIEKING, Clerk,

By L
Deputy Clerk

BALLARD